

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 22, 2009

TO: Honorable Frank Corte Jr., Chair, House Committee on Defense & Veterans' Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1026 by Edwards (relating to establishing legislative district volunteer emergency response teams.), **Committee Report 1st House, Substituted**

The cost to the state would depend on how many district volunteer emergency response teams would be formed and would meet the requirements to be eligible for state appropriations.

Although the bill would make no appropriation, it could provide the legal basis for an appropriation of funds.

The bill would add Chapter 364 to Subtitle C, Title 11 of the Local Government Code to authorize each legislative district within 100 miles of the Gulf of Mexico from which a member of the state house of representatives is elected to form a district volunteer emergency response team. The bill lists the activities a team would be authorized to do and persons who could be members of the team.

The bill would require a team to collaborate with county and municipal emergency management entities to determine the scope of work and duties of the team.

The bill lists the type of equipment authorized to be included in each communications center and medical triage transport staging site. The team would be required to coordinate with county and municipal emergency management entities and the elected state representative representing the district about the location of the medical triage transport staging site.

Each district volunteer emergency response team that complies with the requirements of the bill may be eligible to receive money appropriated by the state.

A county in which most of the district residents reside would be allowed to administer the team's funds, including any money appropriated to the team by the state, make purchases for the team, and provide the team with appropriate volunteer equipment.

The bill would require the state representative whose district creates a district volunteer emergency response team to serve as a liaison for the team and would authorize the state senator from the district to also serve as a liaison.

The bill would take effect immediately if it were to receive the required two-thirds vote in each house; otherwise, it would take effect September 1, 2009.

The bill does not create an appropriation, but it would authorize appropriations by the state to district volunteer emergency response teams if those teams meet the requirements set forth in the proposed new chapter of the Local Government Code.

Local Government Impact

If a district was to form a district volunteer emergency response team and to meet the minimum eligibility requirements for seeking state appropriations, the county in which the majority of the district population resides could incur the costs associated with providing the district with the listed

equipment. Those costs would vary depending on what equipment an affected county or affected municipal emergency management entity may already have. Costs could be significant.

Harris County's Office of Emergency Management projects costs of \$450,000 the first year of implementation and \$250,000 in succeeding years. However, Harris County also assumes that implementation of the provisions of the bill could jeopardize millions of dollars annually appropriated to Texas and its counties for training and provisioning under terms of the National Incident Management/Incident Command System of the Department of Homeland Security. The Legislative Budget Board, Federal Funds Team, assumes the bill may require counties to spend money from the current blend of federal, state, and county funds the entity already receives, as done for their other emergency functions, rather than losing federal funds. The issue would require a legal review.

The Texas Association of Counties (TAC) stated that if a district emergency response team is formed in a district that already has an emergency response team performing the same duties that a district team would be required to perform, there would be duplicate efforts, which would prove costly. More specifically, TAC provided cost estimates based on information gathered from emergency management coordinators and county officials in counties with a population size under 50,000. Those counties estimated the cost of medical triage transport starting at \$10,000 and costs of other equipment at \$139,300 at a minimum.

Source Agencies:

LBB Staff: JOB, KK, DB